

Attorney Docket No.: RIBO-001/04US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Jack D. KEENE ART UNIT: 1633  
SERIAL NUMBER: 10/629,453 CONFIRMATION NO.: 5725  
FILING DATE: July 29, 2003 EXAMINER: MARVICH, Maria  
TITLE: METHODS FOR ISOLATING AND CHARACTERIZING  
ENDOGENOUS mRNA-PROTEIN (mRNP) COMPLEXES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**FILED ELECTRONICALLY**

**DECLARATION OF JACK D. KEENE,**  
**SCOTT A. TENENBAUM AND CRAIG C. CARSON**  
**UNDER 37 C.F.R. § 1.131**

1. We, the undersigned, are joint inventors of all claims in the above-referenced application and the subject matter described and claimed therein.
2. We have been advised that the United States Patent and Trademark Office in an Office Action mailed March 1, 2007, rejected certain claims of the above-referenced application over Reim et al., Exp. Cell Research, 253, 573-586 (1999), which was published on December 15, 1999, and over Takeda et al., J. Immunol., 163, 6269-6274 (1999), which was published on December 1, 1999.
3. Prior to December 1, 1999, we had completed in the United States the invention described and claimed in the above-referenced application as evidenced by the following.
4. Prior to December 1, 1999, having earlier conceived a method of identifying endogenous mRNA subsets, we had implemented the method in several experiments described in U.S. provisional patent application No. 60/173,338, which was filed on December 28, 1999, and serves as a priority application for the above-referenced application.
5. Figure 2 in application No. 60/173,338 depicts mRNAs identified from mRNP complexes immunoprecipitated from cell lysates with an antibody against poly(A)-binding protein (Panel D), or with anti-bacteriophage gene-10 tag antibody which pulled down complexes containing ectopically expressed g10-tagged HuA protein (Panel G) or ectopically expressed g10-tagged HuB protein (Panel F). The depicted mRNAs were identified using a

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cDNA array without prior amplification by PCR and in vitro selection. These experiments were performed and the results were obtained prior to December 1, 1999.

6. We declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

By:

  
JACK D. KEENE

Date:

8/21/07\_\_\_\_\_  
SCOTT A. TENENBAUM\_\_\_\_\_  
CRAIG C. CARSON

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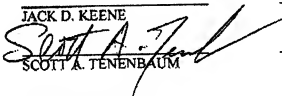
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By:

Date:

JACK D. KEENE



SCOTT A. TENENBAUM

8-22-07

CRAIG C. CARSON

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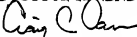
By:

Date:

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JACK D. KEENE

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SCOTT A. TENENBAUM  

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CRAIG C. CARSON

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8/23/07